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**ACT ON THE PROMOTION OF SPECIFIC EDUCATION FOR
BRILLIANT CHILDREN**

[Enforcement Date 23. Mar, 2013.] [Act No.11690, 23. Mar, 2013., Other
Laws and Regulations Amended]

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Article 1 (Purpose)

The purpose of this Act is to early identify persons endowed with talents and provide them with education tailored to their competence and talents as provided for in Articles 12 and 19 of the Framework Act on Education in order to encourage them to develop innate potential, seek self - realization and contribute to development of the nation and of society.

[\[This Article Wholly Amended by Act No. 10875, Jul. 21, 2011\]](#)

Article 2 (Definitions)

The terms used in this Act shall be defined as follows:

1. The term "gifted person" means any person endowed with talents and so requiring special education to cultivate their natural potential;
2. The term "gifted education" means education provided to the gifted, the curriculums and methods of which are tailored to each person's competence and aptitude;
3. The term "educational institution for the gifted" means any gifted school, gifted class or gifted education center;
4. The term "gifted school" means any school designated or established for gifted education under this Act in levels equal to or lower than high school level;
5. The term "gifted class" means any class providing gifted education, being established and operated at schools in levels equal to or lower than high school level established and operated under the Elementary and Secondary Education Act;

6. The term "gifted education center" means any institution for gifted education established in schools, etc. provided for in Article 2 of the Higher Education Act (including schools equivalent thereto and established under other Acts; hereinafter referred to as "universities, etc.");
7. The term "gifted education research institute" means any institution designated, established and operated to conduct various kinds of research and development and supporting work necessary for efficiently managing gifted education;
8. The term "person falling under the special case of gifted education" (hereinafter referred to as "person falling under the special case") means any person demonstrating outstanding innate talents and potential in one or more domains and requiring special support in education among persons eligible for gifted education provided for in this Act.

[This Article Wholly Amended by Act No. 10875, Jul. 21, 2011]

Article 3 (Duties of State and Local Governments) (1) The State shall formulate the following policies to facilitate gifted education:

1. Formulation of comprehensive plans for gifted education;
2. Research, development and dissemination of gifted education;
3. Designation, foundation, establishment and operation of educational institutions for the gifted;
4. Designation, establishment and operation of gifted education research institutes;
5. Formulation and execution of measures for securing linkages between elementary schools, secondary schools and high schools with respect to gifted education;
6. Appointment and training of teachers in charge of gifted education;
7. Subsidization of expenses incurred in providing gifted education;
8. Others, such as policy - making to facilitate gifted education.

(2) Each local government shall formulate the following policies to facilitate gifted education:

1. Formulation of detailed action plans for gifted education in relation to policies necessary for the relevant local government to promote gifted education in the region among the State policies referred to in paragraph (1);
2. Others, such as policy - making to promote regional gifted education.

(3) The State may advise local governments to take necessary measures, such as budget increase if such local governments deemed making inadequate progress with gifted education policies referred to in paragraph (2) or running out of budget.

[This Article Wholly Amended by Act No. 10875, Jul. 21, 2011]

Article 4 (Establishment and Functions of Central Committee on Promotion of Gifted Education)

A Central Committee on Promotion of Gifted Education (hereinafter referred to as the "Central Committee") shall be established in the Ministry of Education to deliberate on the following concerning gifted education: <Amended by Act No. 11690, Mar. 23, 2013>

1. Matters concerning basic policies on gifted education;
2. Matters concerning the formulation of comprehensive plans for gifted education;
3. Matters concerning the improvement of gifted education - related systems;
4. Matters concerning the designation and establishment of gifted schools referred to in Article 6;
5. Matters concerning the establishment of gifted classes referred to in Article 7 in national schools;
6. Matters concerning approval from the heads of relevant central administrative agencies for the establishment of institutions for gifted education referred to in Article 8;
7. Matters concerning securing budgets and subsidization of expenses incurred in providing gifted education;
8. Other matters necessary for the promotion of gifted education.

[This Article Wholly Amended by Act No. 10875, Jul. 21, 2011]

Article 4 - 2 (Composition of Central Committee) (1) The Central Committee shall be comprised of 15 members or less, including one chairperson and one vice chairperson, and a vice minister of Education shall become the chairperson. <Amended by Act No. 11690, Mar. 23, 2013>

(2) The Minister of Education shall appoint or commission members among the following persons: <Amended by Act No. 11690, Mar. 23, 2013>

1. A public official designated by the head of the relevant agency among public officials in Class III or higher position or equivalent thereto of the Ministry of Science, ICT and Future Planning or the Ministry of Education, or other relevant central administrative agencies the Minister of Education deems necessary for the promotion of gifted education;
 2. A person who is working or has worked as an assistant professor or in a position higher or equivalent thereto in a university or in an officially recognized research institution and has expertise in gifted education;
 3. A person recommended by a non - profit, non - governmental organization referred to in Article 2 of the Assistance for Non - Profit, Non - Governmental Organizations Act;
 4. A guardian of a gifted person;
 5. A teacher or instructor with experience in gifted education for five or more years;
 6. Other persons who have abundant knowledge and experience in gifted education.
- (3) The terms of office of members shall be three years and they may be reappointed consecutively: Provided, That the terms of office of members referred to in paragraph (2) 1 shall be the terms during which he/she holds the relevant office.
- (4) The Minister of Education shall appoint one secretary to take charge of administrative affairs of the Committee from among the public officials belonging to the Ministry of Education. <Amended by Act No. 11690, Mar. 23, 2013>
- (5) Except as otherwise prescribed by paragraphs (1) through (4), matters necessary for the organization and operation of the Central Committee shall be prescribed by Presidential Decree.

[This Article Wholly Amended by Act No. 10875, Jul. 21, 2011]

Article 4 - 3 (Establishment and Functions of City/Do Gifted Education Promotion Committees)

A City/Do gifted education promotion committee (hereinafter referred to as "City/Do committee") shall be established in the offices of education of Special Metropolitan Cities, Metropolitan Cities, Dos and Special Self - Governing Provinces (hereinafter referred to as "City/Do") (hereinafter referred to as "City/Do gifted education promotion committee") to deliberate on the following concerning the promotion of

regional gifted education:

1. Matters concerning basic policies on gifted education in the relevant City/Do;
2. Matters concerning the establishment of gifted classes referred to in Article 7 in public and private schools;
3. Matters concerning the establishment of gifted education centers established and operated by the superintendent of the office of education under Article 8;
4. Matters concerning approval from the superintendent of the office of education for the establishment of gifted education centers referred to in Article 8;
5. Matters concerning re - examination referred to in Article 17;
6. Matters concerning securing budgets and subsidization of expenses incurred in providing gifted education in the relevant City/Do;
7. Other matters necessary for the promotion of gifted education in the relevant City/Do.

[This Article Wholly Amended by Act No. 10875, Jul. 21, 2011]

Article 4 - 4 (Composition of City/Do Committees) (1) Each City/Do Committee shall be comprised of 15 or less members, including one chairperson and one vice chairperson, and the deputy superintendent of the office of education shall become the chairperson.

(2) The superintendent of each office of education shall appoint or commission members among the following persons:

1. A public official in charge of gifted education in the relevant City/Do office of education;
2. A president of an educational institution for the gifted (in cases of gifted classes, referring to the principals of schools in which the gifted classes are established; hereinafter the same shall apply);
3. A person who has expertise in law, such as lawyers;
4. A teacher or instructor who has work experience in gifted education for three or more years;
5. A guardian of a gifted person;
6. Other persons who have abundant knowledge and experience in gifted education.

(3) The terms of office of members shall be three years and they may be reappointed consecutively: Provided, That the terms of office of members referred

to in paragraph (2) 1 and 2 shall be the term during which they hold the relevant office.

(4) Except as otherwise prescribed by paragraphs (1) through (3), matters necessary for the organization and operation of City/Do committees shall be prescribed by Presidential Decree.

[This Article Wholly Amended by Act No. 10875, Jul. 21, 2011]

Article 5 (Selection of Persons Eligible for Gifted Education) (1) The head of each educational institution for the gifted shall select persons he/she deems suitable for the educational domains, objectives, etc. of the relevant educational institution as persons eligible for gifted education from among persons demonstrating outstanding competence or potential in any of the following matters:

1. General intelligence;
2. Aptitude for a specific science;
3. Creative thinking;
4. Artistic talent;
5. Physical talent;
6. Other special talents.

(2) When the head of each educational institution for the gifted selects persons eligible for gifted education under paragraph (1), he/she may take measures, such as preparing a separate selection procedure, to select the gifted whose potential has not been fully developed due to social or economic reasons among children from the lower income bracket and residents living in socially vulnerable areas.

(3) Matters necessary for criteria, procedure, etc. for selecting persons eligible for gifted education referred to in paragraphs (1) and (2) shall be prescribed by Presidential Decree.

[This Article Wholly Amended by Act No. 10875, Jul. 21, 2011]

Article 6 (Designation, Establishment and Operation of Gifted Schools) (1) The State may designate some schools, the level of which is equal to or lower than that of high schools to operate them as gifted schools, or establish and operate gifted schools.

(2) Matters necessary for criteria for designation and establishment, operating methods, etc. of gifted schools referred to in paragraph (1) shall be prescribed by

Presidential Decree.

[This Article Wholly Amended by Act No. 10875, Jul. 21, 2011]

Article 7 (Establishment and Operation of Gifted Classes) (1) The State or local governments may establish and operate gifted classes for some or all subjects in schools, the level of which is equal to or lower than that of high schools to provide gifted education.

(2) Matters necessary for criteria for establishment, operating methods, etc. of gifted classes referred to in paragraph (1) shall be prescribed by Presidential Decree.

[This Article Wholly Amended by Act No. 10875, Jul. 21, 2011]

Article 8 (Establishment and Operation of Gifted Education Centers) (1) City/Do offices of education, universities, national and public research institutes, government - invested institutions and public corporations related to science, technology, arts, sports, etc. may establish and operate gifted education centers.

(2) Matters necessary for criteria for establishment, operating methods, etc. of gifted education centers referred to in paragraph (1) shall be prescribed by Presidential Decree.

[This Article Wholly Amended by Act No. 10875, Jul. 21, 2011]

Article 9 Deleted.<by Act No. 7702, Dec. 7, 2005>

Article 10 Deleted.<by Act No. 7702, Dec. 7, 2005>

Article 11 (Acknowledgement of Completion of Curriculums and Entrusted Education)

(1) When a person eligible for gifted education completes all or some of curriculums for the gifted in an educational institution for the gifted, he/she may be deemed to have completed regular curriculums equivalent thereto.

(2) The head of each educational institution for the gifted may, when deemed necessary, entrust some curriculums for relevant persons eligible for gifted education to other educational institutions for the gifted, universities, etc.

(3) The president of each university, etc. entrusted with some curriculums pursuant to paragraph (2) may, when a student who has completed such curriculums enrolls, accept the credits of such student under conditions prescribed by school regulations

(hereinafter referred to as "school regulations").

(4) Matters necessary for acknowledgement of completion of curriculums referred to in paragraph (1), acceptance of credits referred to in paragraph (3), etc. shall be prescribed by Presidential Decree.

[This Article Wholly Amended by Act No. 10875, Jul. 21, 2011]

Article 11 - 2 (Securing Connectivity for Gifted Education) (1) The State and local governments shall prepare a system to link students who have completed curriculums for the gifted in educational institutions for the gifted to higher educational institutions to enable them to receive the same kind of education.

(2) Matters necessary for securing a gifted education linkage system referred to in paragraph (1), etc. shall be prescribed by Presidential Decree.

[This Article Wholly Amended by Act No. 10875, Jul. 21, 2011]

Article 11 - 3 (Management of Educational Matters of Gifted Schools) (1) Each gifted school may operate a system other than the graded school system with respect to the promotion or graduation of students by school regulations.

(2) Notwithstanding the provisions of Article 24 (3) of the Elementary and Secondary Education Act, school terms, number of school days, formation of classes, holidays and other necessary matters concerning the management of educational matters of gifted schools shall be prescribed by Presidential Decree,

[This Article Wholly Amended by Act No. 10875, Jul. 21, 2011]

Article 11 - 4 (Student Records) (1) Notwithstanding the provisions of Article 25 of the Elementary and Secondary Education Act, the head of each educational institution for the gifted may separately prepare and manage records on the education, achievements, etc. of students according to the objectives of the relevant educational institution.

(2) The Minister of Education may determine and publish minimum essential matters to be indicated if deemed necessary for preparing and managing records referred to in paragraph (1). <Amended by Act No. 11690, Mar. 23, 2013>

[This Article Wholly Amended by Act No. 10875, Jul. 21, 2011]

Article 12 (Appointment, Remuneration, etc. of Teachers) (1) Notwithstanding criteria for qualification of teachers referred to in Article 21 of the Elementary and Secondary Education Act, any person authorized to appoint teachers may, when deemed necessary for gifted education, appoint persons deemed competent to take charge of gifted education, who hold qualifications prescribed by Presidential Decree as teachers to work for educational institutions for the gifted.

(2) Matters necessary for criteria for appointment, remuneration, allowances, working conditions, criteria for placement, etc. of teachers in charge of gifted education shall be prescribed by Presidential Decree.

[This Article Wholly Amended by Act No. 10875, Jul. 21, 2011]

Article 12 - 2 (Dispatching Teachers) (1) When necessary for gifted education - related research, human resources development, etc., any person authorized to appoint teachers may dispatch teachers in charge of gifted education to other educational institutions for the gifted, gifted education research institutes, administrative agencies for education, educational, training and research institutions inside and outside Korea and other institutions to work for a specific period.

(2) Any person authorized to appoint teachers who has dispatched teachers pursuant to paragraph (1) shall have such teachers return to the institutions to which they originally belonged, without delay when grounds for dispatching have ceased or the objectives are unlikely to be attained.

(3) The period and procedures for dispatching teachers, matters concerning duties during the dispatch period and other necessary matters shall be prescribed by Presidential Decree.

[This Article Wholly Amended by Act No. 10875, Jul. 21, 2011]

Article 12 - 3 (Education and Training of Teachers) (1) The State and local governments shall provide education and training to improve quality of teachers in charge of gifted education on a regular basis.

(2) Matters necessary for education and training referred to in paragraph (1) shall be prescribed by Presidential Decree.

[This Article Wholly Amended by Act No. 10875, Jul. 21, 2011]

Article 13 (Curriculums and Schoolbooks) (1) Notwithstanding the provisions of Article 23 (2) of the Elementary and Secondary Education Act, the head of each educational institution for the gifted shall determine and operate curriculums suitable for the educational domains, objectives, etc. of the relevant educational institution.

(2) Notwithstanding the provisions of Article 29 of the Elementary and Secondary Education Act, the head of each educational institution for the gifted may determine and manufacture separate schoolbooks for its use, as prescribed by Presidential Decree, or provide education using other teaching materials.

[This Article Wholly Amended by Act No. 10875, Jul. 21, 2011]

Article 14 (Financial Support)

The State and local governments may provide educational institutions for the gifted with subsidies to cover all or some of equipment expenses, operating expenses, experiment and practical education expenses, school fees and admission fees to be borne by persons eligible for gifted education and other expenses in relation to gifted educational activities.

[This Article Wholly Amended by Act No. 10875, Jul. 21, 2011]

Article 15 (Gifted Education Research Institutes) (1) The State may establish gifted education research institutes or designate gifted education research institutes to conduct gifted education - related research, development and support work.

(2) Each gifted education research institute shall engage in the following activities:

1. Basic theoretical studies on gifted education;
2. Research of gifted education policies;
3. Research and development of identification of gifted persons;
4. Research and development of methods and materials for gifted education;
5. Research and development of gifted education support systems;
6. Research and development of training materials for teachers and provision of training;
7. Construction and management of integrated gifted education databases;
8. Identification of persons falling under the special case and examination of suitability of curriculums;

9. Guidance for future progress, such as linking persons falling under the special case to experts and relevant institutions to provide them with suitable education;

10. Other gifted education - related research.

(3) The State may designate gifted education research institutes referred to in paragraph (1) as training institutions for teachers in charge of gifted education.

(4) Matters necessary for the organization and operation of gifted education research institutes, reimbursement of expenses, construction and management of integrated gifted education databases referred to in paragraph (2) 7, requirements for designating training institutions referred to in paragraph (3), etc. shall be prescribed by Presidential Decree.

[\[This Article Wholly Amended by Act No. 10875, Jul. 21, 2011\]](#)

Article 16 (Selection, etc. of Persons Falling under Special Case) (1) Any person intending to be selected as a person falling under the special case or the guardian thereof shall file an application with the superintendent of the office of education having jurisdiction over his/her domicile.

(2) When the superintendent of an office of education receives an application pursuant to paragraph (1), he/she shall request a gifted education research institute provided for in this Act for identification and examination and notify the relevant applicant of the results of selection based on the results of examination of the gifted education research institute.

(3) Notwithstanding the provisions of Articles 13, 24 through 27, 39, 42, 43, 46 and 47 of the Elementary and Secondary Education Act, the provisions of the said Articles may apply otherwise to persons falling under the special case within the scope necessary to enable the relevant students to fully develop their talents and potential.

(4) Any person admitted to a school of higher grade early after being selected as a person falling under the special case shall be deemed qualified for admission.

(5) Matters necessary for criteria, procedure and notification of identification and examination of persons falling under the special case referred to in paragraphs (1) through (4), qualifications for the early admission of excellent students, etc. shall be prescribed by Presidential Decree.

[This Article Wholly Amended by Act No. 10875, Jul. 21, 2011]

Article 17 (Re - Examination, etc. on Selection of Persons Falling under Special Case)

(1) When a person who has filed an application to be selected as a person falling under the special case with the superintendent of the office of education having jurisdiction over his/her domicile or the guardian thereof objects to any measure taken by the superintendent of the office of education under Article 16 (2), he/she may apply to the relevant City/Do committee for re - examination within 30 days from the date of receipt of a written decision.

(2) When a City/Do committee receives an application for re - examination referred to in paragraph (1), it shall examine the case, make a decision and notify the relevant applicant of the results thereof within 30 days.

[This Article Wholly Amended by Act No. 10875, Jul. 21, 2011]

Article 18 (Transfers and Placements of Persons Falling under Special Case to other

Schools) (1) When a person falling under the special case, the guardian thereof or the head of the institution in charge of the education of the person falling under the special case deems that the curriculums provided by the institution are not suitable to the person falling under the special case, he/she may request the relevant superintendent of the office of education to transfer or place the person falling under the special case to another educational institution.

(2) The opinions of relevant students and guardians shall be considered in making transfers, placements, etc. referred to in paragraph (1).

(3) Matters necessary for transfers and placements referred to in paragraph (1), hearing opinions referred to in paragraph (2), etc. shall be prescribed by Presidential Decree.

[This Article Wholly Amended by Act No. 10875, Jul. 21, 2011]

ADDENDA <No. 6215, 28. Jan, 2000 >

This Act shall enter into force on March 1, 2002.

ADDENDA <No. 6400, 29. Jan, 2001 >

Article 1 (Enforcement Date)

This Act shall enter into force on the date of its promulgation: Provided, That Article 3 (20) of Addenda shall enter into force on March 1, 2002.

Articles 2 through 4 Omitted.

ADDENDA <No. 7702, 07. Dec, 2005 >

This Act shall enter into force one year after the date of its promulgation.

ADDENDA <No. 8852, 29. Feb, 2008 >

Article 1 (Enforcement Date)

This Act shall enter into force on the date of its promulgation.

Articles 2 through 7 Omitted.

ADDENDA <No. 10875, 21. Jul, 2011 >

This Act shall enter into force on the date of its promulgation.

ADDENDA <No. 11690, 23. Mar, 2013 >

Article 1 (Enforcement Date)

(1) This Act shall enter into force on the date of its promulgation.

(2) Omitted.

Articles 2 through 7 Omitted.